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NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GILBERT GONCALVES,
aka Gilberto Goncalves,
aka Antonio Goncalves,

Defendant.

No. CR 05-00389 JF

STIPULATION AND ~~PROPOSED~~
ORDER SETTING STATUS
CONFERENCE AND EXCLUDING TIME
UNDER THE SPEEDY TRIAL ACT

Date: July 13, 2005
Time: 9:30 a.m.
Hon. Howard R. Lloyd

On July 13, 2005, this matter came on for hearing before the Honorable Howard R. Lloyd for defendant's initial appearance and arraignment. Assistant U.S. Attorney Christopher P. Sonderby appeared for plaintiff United States of America, and H. Dean Steward appeared for defendant Gilbert Goncalves, who was present. At the parties' request, the Court set a status hearing before U.S. District Judge Jeremy Fogel on August 17, 2005 at 9:00 a.m. The parties also requested that the Court exclude time under the Speedy Trial Act.

In particular, the parties AGREE AND STIPULATE that time should be excluded from July 13, 2005, through and including August 17, 2005, to provide counsel reasonable time to prepare, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv). Prior to the filing of the indictment in this matter, the government produced numerous discovery materials to defendant and his defense counsel, including financial records, interview statements, and copies of recorded

1 conversations. In addition, the government will be producing additional discovery materials,
2 including additional financial records and copies of recorded conversations.' The defense
3 requires reasonable time to examine the above-described materials for effective preparation,
4 taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

5 Accordingly, the United States and the defendant agrees that granting the requested exclusion
6 of time under the Speedy Trial Act will serve the interests of justice and outweigh the interests of
7 the public and defendant in a speedy trial.

8 DATED: July 13, 2005

KEVIN V. RYAN
United States Attorney

10 CHRISTOPHER F. SONDERBY
11 Assistant U.S. Attorney

12 DATED: July 13, 2005

13 H. DEAN STEWARD
14 Counsel for Defendant Gilbert Goncalves

~~PROPOSED~~ ORDER

In light of the parties' agreement to exclude time, and based upon the demonstrated need for excludable time set forth above, IT IS HEREBY ORDERED THAT: 1) a status conference is scheduled in this matter on August 17, 2005 at 9:00 a.m. before U.S. District Judge Jeremy Fogel; and 2) the period from July 13, 2005, through and including August 17, 2005, shall be excluded from all Speedy Trial Act calculations pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 7/22/05


HON. HOWARD R. LLOYD
United States Magistrate Judge

Distribute to:

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